

LOWENSTEIN SANDLER LLP

Arielle B. Adler, Esq. (adler@lowenstein.com)
Bruce Buechler, Esq. (bbuechler@lowenstein.com)
Joseph J. DiPasquale, Esq. (jdipasquale@lowenstein.com)
Jennifer B. Kimble, Esq. (jkimble@lowenstein.com)
Kenneth A. Rosen, Esq. (krosen@lowenstein.com)
Mary E. Seymour, Esq. (mseymour@lowenstein.com)
One Lowenstein Drive
Roseland, New Jersey 07068
(973) 597-2500 (Telephone)
(973) 597-2400 (Facsimile)

*Proposed Counsel to the Debtor and
Debtor-in-Possession*

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

HOLLISTER CONSTRUCTION SERVICES, LLC,¹

Debtor.

Chapter 11

Case No. 19-27439 (MBK)

**AMENDED² NOTICE OF AGENDA OF MATTERS SCHEDULED
FOR HEARING ON OCTOBER 8, 2019 AT 11:30 A.M. (ET)**

UNCONTESTED MATTERS GOING FORWARD

1. Motion Of The Debtor For Interim And Final Orders Under Section 366 Of The Bankruptcy Code (A) Prohibiting Utility Providers From Altering, Refusing, Or Discontinuing Service, (B) Deeming Utilities Adequately Assured Of Future Performance, (C) Establishing Procedures For Resolving Requests For Additional Or Different Adequate Assurance Of Payment, And (D) Scheduling A Final Hearing To Consider Entry Of The Proposed Final Order [Docket No. 10; Filed 9/11/19].

¹ The Debtor in this chapter 11 case and the last four digits of its taxpayer identification number is: Hollister Construction Services, LLC (5404).

² Amended items appear in **bold**.

Related Documents:

- a) Application for Expedited Consideration of First Day Matters [Docket No. 16; Filed 9/11/19]
- b) Order regarding Debtor's Application for Expedited Consideration of First Day Matters [Docket No. 20; Entered 9/11/19]
- c) Affidavit of Service filed by Prime Clerk LLC [Docket No. 47; Filed 9/13/19]
- d) Interim Order Under Section 366 Of the Bankruptcy Code (A) Prohibiting Utility Providers From Altering, Refusing, Or Discontinuing Service, (B) Deeming Utilities Adequately Assured Of Future Performance, (C) Establishing Procedures For Resolving Requests For Additional Or Different Adequate Assurance Of Payment, And (D) Scheduling A Final Hearing To Consider Entry Of The Proposed Final Order [Docket No. 92; Entered 9/17/19]
- e) Amended Interim Order Under Section 366 Of the Bankruptcy Code (A) Prohibiting Utility Providers From Altering, Refusing, Or Discontinuing Service, (B) Deeming Utilities Adequately Assured Of Future Performance, (C) Establishing Procedures For Resolving Requests For Additional Or Different Adequate Assurance Of Payment, And (D) Scheduling A Final Hearing To Consider Entry Of The Proposed Final Order [Docket No. 96; Entered 9/17/19]
- f) Affidavit of Service filed by Prime Clerk LLC [Docket No. 128; Filed 9/20/19]
- g) Transcript regarding Hearing Held 9/16/19 [Docket No. 131; Filed 9/23/19]

Objection Deadline: October 1, 2019 at 4:00 p.m. (ET).

Responses Received:

- h) Comments received from the Office of the U.S. Trustee. Debtor will incorporate the comments and submit a revised form of order prior to hearing.

Status: This matter is going forward.

2. Debtor's Motion for an Administrative Fee Order [Docket No. 105; Filed 9/18/19].

Related Documents:

- a) Affidavit of Service filed by Prime Clerk LLC [Docket No. 148; Filed 9/23/19]

Objection Deadline: October 1, 2019 at 4:00 p.m. (ET).

Responses Received: None

Status: This matter is going forward. **A revised order will be handed up in Court resolving comments from the U.S. Trustee.**

3. Ricoh USA, Inc.'s Motion For Entry of an Order (I) Compelling Debtor to Assume or Reject Executory Contract, or (II) in the Alternative, Granting Relief from the Automatic Stay [Docket No. 144; Filed 9/23/19].

Related Documents:

- a) Application for Order Shortening Time [Docket No. 145; Filed 9/23/19]
- b) Order Granting Application to Shorten Time [Docket No 150; Entered 9/24/19]
- c) Certificate of Service [Docket No 181; Filed 9/27/19]

Objection Deadline: Objections may be presented orally at the hearing

Responses Received: None

Status: This matter is going forward. Counsel for the Debtor and Ricoh are discussing a potential resolution.

4. Debtor's Motion for an Order Authorizing Rejection of an Unexpired Lease of Nonresidential Real Property as of September 27, 2019 [Docket No. 180; Filed 9/27/19].

Related Documents:

- a) Application for Order Shortening Time [Docket No. 182; Filed 9/27/19]
- b) Order Granting Application to Shorten Time [Docket No 191; Entered 9/30/19]
- c) Affidavit of Service by Prime Clerk [Docket No 242; Filed 10/03/19]

Objection Deadline: October 4, 2019 at 12:00 p.m.

Responses Received: None

Status: This matter is going forward.

5. 640 Columbia Owner LLC's Motion for Relief from Stay re: Motion for Entry of An Order (I) Granting Owner Relief From the Automatic Stay to Enforce Termination of GC Agreement or, in the Alternative, (II) Compelling the Debtor to Immediately Reject the GC Agreement [Docket No. 186; Filed 9/29/19].

Related Documents:

- a) Application for Order Shortening Time [Docket No. 187; Filed 9/29/19/19]
- b) Order Granting Application to Shorten Time [Docket No 192; Entered 9/30/19]

Objection Deadline: October 4, 2019 at 12:00 p.m.

Responses Received: None

Status: This matter is going forward. Counsel for the Debtor and 640 Columbia Owner are discussing a potential resolution.

6. Debtor's Motion for an Order Approving of a Settlement and Compromise by and among the Debtor and Veterans Road SPE LLC, Pursuant To Fed. R. Bankr. P. 9019 [Docket No. 196; Filed 9/30/19].

Related Documents:

- a) Application for Order Shortening Time [Docket No. 197; Filed 9/30/19]
- b) Order Granting Application to Shorten Time [Docket No. 199; Entered 10/1/19]
- c) Affidavit of Service filed by Prime Clerk [Docket No. 221; Filed 10/2/19]
- d) Notice of Filing of Revised Amended Stipulation of Settlement and Proposed Form of Order to Debtor's Motion for an Order Approving of a Settlement and Compromise by and among the Debtor and Veterans Road SPE LLC Pursuant to Fed. R. Bankr. P. 9019 [Docket No. 247; Filed 10/4/19]

Objection Deadline: October 4, 2019 at 12:00 p.m.

Responses Received: None

Status: This matter is going forward.

7. Debtor's Motion for an Order Approving of a Settlement and Compromise by and among the Debtor and Waypoint Hackensack Urban Renewal Owner LLC

Pursuant To Fed. R. Bankr. P. 9019 And For The Assumption And Assignment And Rejection Of Certain Executory Contracts [Docket No. 234; Filed 10/3/19].

Related Documents:

- a) Application for Order Shortening Time [Docket No. 235; Filed 10/3/19]
- b) Order Granting Application to Shorten Time [Docket No 236; Entered 10/3/19]
- c) Affidavit of Service filed by Prime Clerk [Docket No. 245; Filed 10/4/19]

Objection Deadline: Objections may be presented at the hearing.

Responses Received: None

Status: This matter is going forward.

CONTESTED MATTERS GOING FORWARD

- 8. Debtor's Motion For Interim And Final Orders (I) Authorizing But Not Directing The Debtor To (A) Pay Pre-Petition Wages, Salaries, And Related Obligations, (B) Pay And Remit Pre-Petition Payroll Taxes And Other Deductions To Third Parties, And (C) Honor Employee Benefit Programs In The Ordinary Course Of Business; (II Authorizing And Directing Banks To Honor Checks And Transfers For Payment Of Pre-Petition Employee Obligations; And (III) Granting Related Relief [Docket No. 8; Filed 9/11/19].

Related Documents:

- a) Application for Expedited Consideration of First Day Matters [Docket No. 16; Filed 9/11/19]
- b) Order regarding Debtor's Application for Expedited Consideration of First Day Matters [Docket No. 20; Entered 9/11/19]
- c) Affidavit of Service filed by Prime Clerk LLC [Docket No. 47; Filed 9/13/19]
- d) Interim Order (I) Authorizing But Not Directing The Debtor To (A) Pay Pre-Petition Wages, Salaries, And Related Obligations, (B) Pay And Remit Pre-Petition Payroll Taxes And Other Deductions To Third Parties, And (C) Honor Employee Benefit Programs In The Ordinary Course Of Business; (II Authorizing And Directing Banks To Honor Checks And Transfers For Payment Of Pre-Petition Employee Obligations; And (III) Granting Related Relief [Docket No 102; Entered 9/18/19]
- e) Supplement to Debtor's Motion for Interim and Final Orders (I) Authorizing but not Directing the Debtor to (A) Pay Pre-Petition Wages,

Salaries, and Related Obligations, (B) Pay and Remit Pre-Petition Payroll Taxes and Other Deductions to Third Parties, and (C) Honor Employee Benefit Programs in the Ordinary Course of Business; (II) Authorizing and Directing Banks to Honor Checks and Transfers for Payment of Pre-Petition Employee Obligations; and (iii) Granting Related Relief [Docket no 126; Filed 9/20/19]

- f) Affidavit of Service filed by Prime Clerk LLC [Docket No. 148; Filed 9/23/19]
- g) Affidavit of Service filed by Prime Clerk LLC [Docket No. 159; Filed 9/25/19]

Objection Deadline: October 1, 2019 at 4:00 p.m. (ET).

Responses Received:

- h) PNC Bank, National Association's Limited Objection To Debtor's Motion For Interim And Final Orders (I) Authorizing But Not Directing The Debtor To (A) Pay Pre-Petition Wages, Salaries, And Related Obligations, (B) Pay And Remit Pre-Petition Payroll Taxes And Other Deductions To Third Parties, And (C) Honor Employee Benefit Programs In The Ordinary Course Of Business; (II Authorizing And Directing Banks To Honor Checks And Transfers For Payment Of Pre-Petition Employee Obligations; And (III) Granting Related Relief [Docket No. 205; Filed 10/1/19]
- i) Limited Objection of the Acting United States Trustee to the Supplement to the Debtor's Motion (I) Authorizing But Not Directing The Debtor To (A) Pay Pre-Petition Wages, Salaries, And Related Obligations, (B) Pay And Remit Pre-Petition Payroll Taxes And Other Deductions To Third Parties, And (C) Honor Employee Benefit Programs In The Ordinary Course Of Business; (II Authorizing And Directing Banks To Honor Checks And Transfers For Payment Of Pre-Petition Employee Obligations; And (III) Granting Related Relief [Docket No. 207; Filed 10/1/19]
- j) Official Committee of Unsecured Creditors' Joinder in the Limited Objection of the Acting United States Trustee to the Supplement to the Debtor's Motion (I) Authorizing But Not Directing The Debtor To (A) Pay Pre-Petition Wages, Salaries, And Related Obligations, (B) Pay And Remit Pre-Petition Payroll Taxes And Other Deductions To Third Parties, And (C) Honor Employee Benefit Programs In The Ordinary Course Of Business; (II Authorizing And Directing Banks To Honor Checks And Transfers For Payment Of Pre-Petition Employee Obligations; And (III) Granting Related Relief [Docket No. 244; Filed 10/4/19]

Status: This matter is going forward.

9. Debtor's Motion For Entry Of Interim And Final Orders (A) Authorizing The Debtor To (I) Continue Its Cash Management System, (II) Honor Certain Related Pre-Petition Obligations, And (III) Maintain Existing Business Forms; (B) Authorizing And Directing The Debtor's Banks To Honor All Related Payment Requests; (C) Granting Interim And Final Waivers Of The Debtor's Compliance With Section 345(B) Of The Bankruptcy Code; (D) Scheduling A Final Hearing; And (E) Granting Related Relief [Docket No. 11; Filed 9/11/19].

Related Documents:

- a) Application for Expedited Consideration of First Day Matters [Docket No. 16; Filed 9/11/19]
- b) Order regarding Debtor's Application for Expedited Consideration of First Day Matters [Docket No. 20; Entered 9/11/19]
- c) Affidavit of Service filed by Prime Clerk LLC [Docket No. 47; Filed 9/13/19]
- d) Certificate of Service filed by Creditor Arch Insurance Company and Arch Reinsurance Company [Docket No. 51; Filed 9/13/19]
- e) Interim Order Authorizing the Debtor to (I) Continue Its Cash Management System, (II) Honor Certain Related Pre-Petition Obligations, and (III) Maintain Existing Business Forms; (B) Authorizing and Directing the Debtor's Banks to Honor All Related Payment Requests; (C) Granting Interim and Final Waivers of the Debtor's Compliance; (D) Scheduling a Final Hearing; and (E) Granting Related Relief [Docket No. 93; Entered 9/17/19]
- f) Amended Interim Order Authorizing the Debtor to (I) Continue Its Cash Management System, (II) Honor Certain Related Pre-Petition Obligations, and (III) Maintain Existing Business Forms; (B) Authorizing and Directing the Debtor's Banks to Honor All Related Payment Requests; (C) Granting Interim and Final Waivers of the Debtor's Compliance; (D) Scheduling a Final Hearing; and (E) Granting Related Relief [Docket No. 95; Filed 9/17/19]
- g) Affidavit of Service filed by Prime Clerk LLC [Docket No. 128; Filed 9/20/19]

Objection Deadline: October 1, 2019 at 4:00 p.m. (ET).

Responses Received:

- h) Arch Insurance Company and Arch Reinsurance Company's Limited Objection to Debtor's Motion for Entry of Interim and Final Orders (A) Authorizing the Debtor to (I) Continue Its Cash Management System, (II) Honor Certain Related Pre-Petition Obligations, and (III) Maintain Existing Business Forms; (B) Authorizing and Directing the Debtor's

Banks to Honor All Related Payment Requests; (C) Granting Interim and Final Waivers of the Debtor's Compliance; (D) Scheduling a Final Hearing; and (E) Granting Related [Docket No. 44; Filed 9/13/19]

- i) Sparwick Contracting, Inc.'s Limited Objection to Debtor's Motion for Entry of Interim and Final Orders (A) Authorizing the Debtor to (I) Continue Its Cash Management System, (II) Honor Certain Related Pre-Petition Obligations, and (III) Maintain Existing Business Forms; (B) Authorizing and Directing the Debtor's Banks to Honor All Related Payment Requests; (C) Granting Interim and Final Waivers of the Debtor's Compliance; (D) Scheduling a Final Hearing; and (E) Granting Related Relief [Docket No. 71; Filed 9/15/19]

Status: This matter is going forward.

- 10. Debtor's Motion For Entry Of Interim And Final Orders (A) Authorizing Use Of Cash Collateral, (B) Granting Adequate Protection, (C) Scheduling A Final Hearing, And (D) Granting Related Relief [Docket No. 14; Filed 9/11/19].

Related Documents:

- a) Application for Expedited Consideration of First Day Matters [Docket No. 16; Filed 9/11/19]
- b) Order regarding Debtor's Application for Expedited Consideration of First Day Matters [Docket No. 20; Entered 9/11/19]
- c) Affidavit of Service filed by Prime Clerk LLC [Docket No. 47; Filed 9/13/19]
- d) First Interim Order (I) Authorizing The Use Of Cash Collateral, ((II) Granting Adequate Protection, (III) Scheduling A Final Hearing And, (IV) Granting Related Relief [Docket No. 90; Entered 9/16/19]
- e) Affidavit of Service filed by Prime Clerk LLC [Docket No. 128; Filed 9/20/19]
- f) Notice of Filing of Proposed Second Interim Order (I) Authorizing the Use of Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing and, (IV) Granting Related Relief [Docket No. 147; Filed 9/23/19]
- g) Second Interim Order (I) Authorizing the Use of Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing and, (IV) Granting Related Relief [Docket No. 158; Entered 9/25/19]
- h) Affidavit of Service filed by Prime Clerk LLC [Docket No. 164; Filed 9/25/19]
- i) Affidavit of Service filed by Prime Clerk LLC [Docket No. 194; Filed

9/30/19]

- j) Third Interim Order (I) Authorizing the Use of Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing and, (IV) Granting Related Relief [Docket No. 219; Entered 10/2/19]
- k) Notice of Filing Of Proposed Fourth Interim Order (I) Authorizing The Use Of Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling A Final Hearing And (IV) Granting Related Relief [Docket No. 267; Filed 10/7/19]**

Objection Deadline: October 1, 2019 at 4:00 p.m. (ET).

Responses Received:

- l) Arch Insurance Company and Arch Reinsurance Company's Limited Objection to Limited Objection to Debtor's Motion for Entry of Interim and Final Orders (A) Authorizing Use of Cash Collateral, (B) Granting Adequate Protection, (C) Scheduling a Final Hearing, and (D) Granting Related Relief [Docket No. 32; Filed 9/12/19]
- m) Jordan Electric Inc.'s Limited Objection to Debtor's Motion for Entry of Interim and Final Orders (A) Authorizing Use of Cash Collateral, (B) Granting Adequate Protection, (C) Scheduling a Final Hearing, and (D) Granting Related Relief [Docket No. 72; Filed 9/15/19]
- n) Delcon Builders, Inc. and Pentel Drywall, Inc.'s Limited Objection To Debtor's Motion for Entry of Interim and Final Orders (A) Authorizing Use of Cash Collateral, (B) Granting Adequate Protection, (C) Scheduling a Final Hearing, and (D) Granting Related Relief [Docket No. 73; Filed 9/15/19]
- o) Sparwick Contracting Inc.'s Limited Objection To Debtor's Motion for Entry of Interim and Final Orders (A) Authorizing Use of Cash Collateral, (B) Granting Adequate Protection, (C) Scheduling a Final Hearing, and (D) Granting Related Relief [Docket No 86; Filed 9/16/19]
- p) 10 Minerva Place, L.P. and 10 Minerva Place Housing Development Fund Corporation's Limited Objection To Debtor's Motion for Entry of Interim and Final Orders (A) Authorizing Use of Cash Collateral, (B) Granting Adequate Protection, (C) Scheduling a Final Hearing, and (D) Granting Related Relief [Docket No. 141; Filed 9/23/19]
- q) 5 Bay Street Phase 1 LLC, 5 Bay Street Phase 1 Sponsor Member Inc. and 5 Bay Street Phase 3 LLC's Limited Objection To Debtor's Motion for Entry of Interim and Final Orders (A) Authorizing Use of Cash Collateral, (B) Granting Adequate Protection, (C) Scheduling a Final Hearing, and (D) Granting Related Relief [Docket No. 142; Filed 9/23/19]
- r) Delcon Builders, Inc. and Pentel Drywall, Inc.'s Supplemental Objection

and Reservation of Rights To Debtor's Motion for Entry of Interim and Final Orders (A) Authorizing Use of Cash Collateral, (B) Granting Adequate Protection, (C) Scheduling a Final Hearing, and (D) Granting Related Relief [Docket No. 143; Filed 9/23/19]

- s) Nomad Framing Inc.'s Objection and Reservation of Rights to Debtor's Continued Motion for Use of Cash Collateral [Docket No. 179; Filed 9/27/19]
- t) DeSesa Engineering Company, Inc.'s Limited Objection To Debtor's Motion for Entry of Interim and Final Orders (A) Authorizing Use of Cash Collateral, (B) Granting Adequate Protection, (C) Scheduling a Final Hearing, and (D) Granting Related Relief [Docket No. 211; Filed 10/2/19]
- u) Objection and Reservation of Rights By Nomad Framing LLC with Respect to Debtor's Fourth Motion for Entry of Interim and Final Orders (A) Authorizing Use of Cash Collateral; (B) Granting Adequate Protection; (C) Scheduling Final Hearing; And (D) Granting Related Relief [Docket No 268; Filed 10/7/19]**

Status: This matter is going forward.

11. Motion of Newark Warehouse Urban Renewal, LLC and Newark Warehouse Redevelopment Company, LLC for an Order (I) Confirming that the GMP Contract is Not Property of the Estate and that the Automatic Stay Does Not Apply to the GMP Contract or, in the Alternative, Granting Relief from the Automatic Stay Pursuant to 11 U.S.C. 362(d)(1), and (II) Granting Related Relief [Docket No. 170; Filed 9/26/19].

Related Documents:

- a) Application for Order Shortening Time [Docket No. 171; Filed 9/26/19]
- b) Order Granting Application to Shorten Time [Docket No 177; Entered 9/27/19]
- c) Corrected Order Granting Application to Shorten Time [Docket No 178; Entered 9/27/19]
- d) Certificate of Service [Docket No 195; Filed 9/30/19]

Objection Deadline: October 4, 2019 at 12:00 p.m. Extended for the Debtor to October 7, 2019 at 12:00 p.m.

Responses Received:

- e) Limited Objection and Reservation of Rights of Graybar Electric Company, Inc. to the Motion of Newark Warehouse Urban Renewal, LLC and Newark Warehouse Redevelopment Company, LLC for an Order (I) Confirming that the GMP Contract is Not Property of the Estate and that

the Automatic Stay Does Not Apply to the GMP Contract or, in the Alternative, Granting Relief from the Automatic Stay Pursuant to 11 U.S.C. 362(d)(1), and (II) Granting Related Relief [Docket No. 251; Filed 10/4/19]

- f) **Limited Objection of PNC Bank, National Association to the Motion of Motion of Newark Warehouse Urban Renewal, LLC and Newark Warehouse Redevelopment Company, LLC for an Order (I) Confirming that the GMP Contract is Not Property of the Estate and that the Automatic Stay Does Not Apply to the GMP Contract or, in the Alternative, Granting Relief from the Automatic Stay Pursuant to 11 U.S.C. 362(d)(1), and (II) Granting Related Relief [Docket No. 261, filed 10/7/19]**
- g) **Debtor's Limited Objection to the Motion of Motion of Newark Warehouse Urban Renewal, LLC and Newark Warehouse Redevelopment Company, LLC for an Order (I) Confirming that the GMP Contract is Not Property of the Estate and that the Automatic Stay Does Not Apply to the GMP Contract or, in the Alternative, Granting Relief from the Automatic Stay Pursuant to 11 U.S.C. 362(d)(1), and (II) Granting Related Relief [Docket No. 263, Filed 10/7/19].**

Status: This matter is going forward.

Dated: October 7, 2019

LOWENSTEIN SANDLER LLP

/s/ Kenneth A. Rosen

Kenneth A. Rosen, Esq.

Bruce Buechler, Esq.

Joseph J. DiPasquale, Esq.

Mary E. Seymour, Esq.

Jennifer B. Kimble, Esq. (pro hac vice)

Arielle B. Adler, Esq.

One Lowenstein Drive

Roseland, New Jersey 07068

(973) 597-2500 (Telephone)

(973) 597-2400 (Facsimile)

krosen@lowenstein.com

bbuechler@lowenstein.com

dipasquale@lowenstein.com

mseymour@lowenstein.com

jkimble@lowenstein.com

aadler@lowenstein.com

Proposed Counsel to the Debtor and Debtor-in-Possession